

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
IN RE: NEW ENGLAND COMPOUNDING)	
PHARMACY, INC. PRODUCTS LIABILITY)	
LITIGATION)	MDL No.: 1:13-md-2419-FDS
)	
This Document Relates to:)	
All Cases)	
_____)	
IN RE: NEW ENGLAND COMPOUNDING)	
PHARMACY CASES)	Master Docket No. 12-12052 - FDS
)	
This Document Relates to:)	
All Cases)	
_____)	

NOTICE OF FILING OF SECOND AMENDED SCHEDULE OF PENDING ACTIONS

PLEASE TAKE NOTICE that on March 10, 2013, Paul D. Moore, the Chapter 11 Trustee (the “Trustee”) for the Estate of New England Compounding Pharmacy, Inc. (“NECC” or the “Debtor”) filed a motion [Doc. No. 37] (the “Motion”) in the multidistrict litigation involving NECC pending in the United States District Court for the District of Massachusetts (the “Court”) for entry of an order transferring to the Court the personal injury and wrongful death cases identified on Exhibit A to the memorandum [Doc. No. 38] (the “Memorandum”)¹ in support of the Motion (as modified, amended or supplemented, the “Schedule of Pending Actions”).²

¹ Capitalized terms used but not defined herein shall have the same meanings ascribed to them in the Motion and Memorandum.

² The Motion and Memorandum were also filed in the action styled *Erkan v. New England Compounding Pharmacy, Inc. et al.*, Case No. 12-12052, pending before this Court, in which pleadings have been filed regarding that case and the related cases that are listed on the docket for that case [Doc. Nos. 200 and 201].

PLEASE TAKE FURTHER NOTICE that on March 15, 2013, the Trustee filed an Amended Schedule of Pending Actions [Doc. No. 57].

PLEASE TAKE FURTHER NOTICE that the Trustee is hereby filing the attached Second Amended Schedule of Pending Actions which supersedes the Amended Schedule of Pending Actions (as well as Exhibit A to the Memorandum).

PLEASE TAKE FURTHER NOTICE that the Second Amended Schedule of Pending Actions remains subject to further revision, and the Trustee expressly reserves the right to further amend and supplement the Second Amended Schedule of Pending Actions.

Dated: April 16, 2013

Respectfully submitted,

DUANE MORRIS LLP

/s/ Michael R. Gottfried

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Chapter 11 Trustee of the Defendant New England
Compounding Pharmacy, Inc., d/b/a New England
Compounding Center

SECOND AMENDED SCHEDULE OF PENDING ACTIONS

Exhibit A1

Federal Cases Not in NECC MDL

Plaintiff(s)	Venue	Co-Defendant(s)	Docket No.	Plaintiff(s)' Counsel
Darrel Cummings	USDC- Southern District of Florida	NECP d/b/a NECC; GEO Group, Inc; Tom Levins, Warden; Ms. N. Finnisse, MSM, HAS; Dr. J. Dauphin, D.O.; Dr. Jules Heller, M.D.; Dr. Robert Lins, M.D.; Officer McIntire, CO1	9:12-cv-81413	PRO SE
Basil E. Proffitt	USDC- Western District of Virginia, Roanoke	NECP d/b/a NECC; Image Guided Pain Management, P.C., d/b/a Insight Imaging, Roanoke	7:12-cv-00615	Willard J. Moody, Jr. The Moody Law Firm, Inc. 500 Crawford Street Suite 300 Portsmouth, VA 23705 The Miller Firm, LLC The Sherman Building 108 Railroad Avenue Orange, VA 22960
Reba M. Skelton and Roy H. Skelton	USDC - Middle District Tennessee	NECP d/b/a NECC	3:13-cv-00323	Randall L. Kinnard Daniel L. Clayton Kinnard, Clayton & Beveridge 127 Woodmont Boulevard Nashville, TN 37205
Mary Sharon Walker	USDC- Western District of Virginia	NECP d/b/a NECC; Image Guided Pain Management, P.C., d/b/a Insight Imaging, Roanoke	7:12cv 00564	Willard J. Moody, Jr. The Moody Law Firm, Inc. 500 Crawford Street Suite 300 Portsmouth, VA 23705 The Miller Firm, LLC The Sherman Building 108 Railroad Avenue Orange, VA 22960

State Court Cases Pending Removal

Plaintiff(s)	Venue	Defendant(s)	Docket No.	Plaintiff(s)' Counsel

State Court Cases Not Removed

Plaintiff(s)	Venue	Defendant(s)	Docket No.	Plaintiff(s)' Counsel
Sara Culp Andrews	Roanoke, VA	NECP d/b/a NECC; Image Guided Pain Management, P.C., d/b/a Insight Imaging	CL12-2495	Patrick T. Fennell, Esq. Law Offices of Crandall & Katt 366 Elm Avenue, S.W. Roanoke, VA 24016
David A. Barley, Jr.	Roanoke, VA	NECP d/b/a NECC; Image Guided Pain Management, P.C., d/b/a Insight Imaging	CL12-2437	Patrick T. Fennell, Esq. Law Offices of Crandall & Katt 366 Elm Avenue, S.W. Roanoke, VA 24016
Virginia Law Berger	Roanoke, VA	NECP d/b/a NECC; Image Guided Pain Management, P.C., d/b/a Insight Imaging	CL12-2439	Patrick T. Fennell, Esq. Law Offices of Crandall & Katt 366 Elm Avenue, S.W. Roanoke, VA 24016
Viola Mills Bowling	Roanoke, VA	NECP d/b/a NECC; Image Guided Pain Management, P.C., d/b/a Insight Imaging	CL12-2453	Patrick T. Fennell, Esq. Law Offices of Crandall & Katt 366 Elm Avenue, S.W. Roanoke, VA 24016
Brenda Brewster	Roanoke, VA	NECP d/b/a NECC; Image Guided Pain Management, P.C., d/b/a Insight Imaging	CL12-2438	Patrick T. Fennell, Esq. Law Offices of Crandall & Katt 366 Elm Avenue, S.W. Roanoke, VA 24016
Wilma Brumfield	Roanoke, VA	NECP d/b/a NECC; Image Guided Pain Management, P.C., d/b/a Insight Imaging	CL12-2399	Patrick T. Fennell, Esq. Law Offices of Crandall & Katt 366 Elm Avenue, S.W. Roanoke, VA 24016
Harry Michael English	Roanoke, VA	NECP d/b/a NECC; Image Guided Pain Management, P.C., d/b/a Insight Imaging	CL12-2435	Patrick T. Fennell, Esq. Law Offices of Crandall & Katt 366 Elm Avenue, S.W. Roanoke, VA 24016

State Court Cases Not Removed

Plaintiff(s)	Venue	Defendant(s)	Docket No.	Plaintiff(s)' Counsel
Carolyn Fidler, Curtis Lynn Shell, Brian Glenn Caddell, Richard Wayne Henegar, Lynda Bradfield, Elizabeth P. Kirkpatrick, Kathy N. Cole, Dana M. King	Roanoke, VA	NECP d/b/a NECC; Image Guided Pain Management, P.C., d/b/a Insight Imaging	CL12-2509	Cranwell, Moore & Emick, P.L.C. 111 West Virginia Avenue Vinton, VA 24179
Christy Fralin	Roanoke, VA	NECP d/b/a NECC; Image Guided Pain Management, P.C., d/b/a Insight Imaging	CL12-2434	Patrick T. Fennell, Esq. Law Offices of Crandall & Katt 366 Elm Avenue, S.W. Roanoke, VA 24016
Robin Annette Hannabass	Roanoke, VA	NECP d/b/a NECC; Image Guided Pain Management, P.C., d/b/a Insight Imaging	CL12-2436	Patrick T. Fennell, Esq. Law Offices of Crandall & Katt 366 Elm Avenue, S.W. Roanoke, VA 24016
Nancy Phillips	Roanoke, VA	NECP d/b/a NECC; Image Guided Pain Management, P.C., d/b/a Insight Imaging	CL12-2398	Patrick T. Fennell, Esq. Law Offices of Crandall & Katt 366 Elm Avenue, S.W. Roanoke, VA 24016
Craig Simas and Joan Simas	Middlesex County, MA	NECP d/b/a NECC; Ocean State Pain Management, Inc	12 4591	Wickstrom Morse, LLP 60 Church Street Whitinsville, MA 01588
Kathy Sinclair	Roanoke, VA	NECP d/b/a NECC; Image Guided Pain Management, P.C., d/b/a Insight Imaging	CL12-2397	Patrick T. Fennell, Esq. Law Offices of Crandall & Katt 366 Elm Avenue, S.W. Roanoke, VA 24016
Lloyd Smith	Roanoke, VA	NECP d/b/a NECC; Image Guided Pain Management, P.C., d/b/a Insight Imaging	CL12-2454	Patrick T. Fennell, Esq. Law Offices of Crandall & Katt 366 Elm Avenue, S.W. Roanoke, VA 24016

State Court Cases Not Removed

Plaintiff(s)	Venue	Defendant(s)	Docket No.	Plaintiff(s)' Counsel
Margaret Snopkowski	Suffolk County, MA	NECP d/b/a NECC	SUCV2012-03872	Elizabeth A. Kaveny Burke Wise Morrissey & Kaveny 161 North Clark Street Suite 3250 Chicago, IL 60601-3330
Donna West	Roanoke, VA	NECP d/b/a NECC; Image Guided Pain Management, P.C., d/b/a Insight Imaging	CL12-2396	Patrick T. Fennell, Esq. Law Offices of Crandall & Katt 366 Elm Avenue, S.W. Roanoke, VA 24016

Exhibit A4

Cases Naming Non-Debtor Defendants Only

Case Name	Venue	Defendants	Docket No.	Plaintiff(s)' Counsel
Edward Adams	USDC- District of Massachusetts Adversary No: 13-01026 Civil Docket: 1:13-cv-10229	Barry Cadden; Lisa Cadden; Gregory Conigliaro; Glenn Chin; ARL Bio Pharma, Inc. d/b/a Analytical Research Laboratories; Ameridose, LLC; Medical Sales Management, Inc.; GDC Properties Management, Inc.		Frederic L. Ellis Edward D. Rapaki Joseph M. Makalusky Ellis & Rapaki, LLP 85 Merrimac Street Suite 500 Boston, MA 02114 J. Douglas Peters Charfoos & Christensen, PC Hecker-Smiley Mansion 5510 Woodward Avenue Detroit, MI 40202
Baker, Chance Everett	Roanoke, VA	Alaunus Pharmaceutical LLC; Image Guided Pain Management P, Trading as: Insight Imaging Roanoke; Insight Health Services Corp.	CL13-451	Daniel T. Frith III Frith & Ellerman Law Firm, P.C. 303 Washington Avenue, SW Roanoke, Virginia 24016
Bradley	Roanoke, VA	Image Guided Pain Management, P.C.; John Mathis, M.D; Robert O'Brien, M.D.; Insight Health Corporation, P.C.		H. David Gibson Gentry Locke Rakes & Moore 10 Franklin Road Southeast P.O. Box 40013 Roanoke, VA 24022-0013
Epperly	Roanoke, VA	Image Guided Pain Management, P.C.; John Mathis, M.D; Robert O'Brien, M.D.; Insight Health Corporation, P.C.	CL12-2571	H. David Gibson Gentry Locke Rakes & Moore 10 Franklin Road Southeast P.O. Box 40013 Roanoke, VA 24022-0013
Filson	Roanoke, VA	Image Guided Pain Management, P.C.; John Mathis, M.D; Robert O'Brien, M.D.; Insight Health Corporation, P.C.	CL12-2575	H. David Gibson Gentry Locke Rakes & Moore 10 Franklin Road Southeast P.O. Box 40013 Roanoke, VA 24022-0013
Foutz	Roanoke, VA	Image Guided Pain Management, P.C.; John Mathis, M.D; Robert O'Brien, M.D.; Insight Health Corporation, P.C.	CL13-09	H. David Gibson Gentry Locke Rakes & Moore 10 Franklin Road Southeast P.O. Box 40013 Roanoke, VA 24022-0013

Exhibit A4

Cases Naming Non-Debtor Defendants Only

Case Name	Venue	Defendants	Docket No.	Plaintiff(s)' Counsel
Harris	Roanoke, VA	Image Guided Pain Management, P.C.; John Mathis, M.D; Robert O'Brien, M.D.; Insight Health Corporation, P.C.	CL13-55	H. David Gibson Gentry Locke Rakes & Moore 10 Franklin Road Southeast P.O. Box 40013 Roanoke, VA 24022-0013
Johnston, Patrick O.	Roanoke, VA	Alaunus Pharmaceutical LLC; Image Guided Pain Management I; Insight Health Services Corp.	CL13-453	Daniel T. Frith III Frith & Ellerman Law Firm, P.C. 303 Washington Avenue, SW Roanoke, Virginia 24016
Kalinoski	Roanoke, VA	Image Guided Pain Management, P.C.; John Mathis, M.D; Robert O'Brien, M.D.; Insight Health Corporation, P.C.	CL12-2574	H. David Gibson Gentry Locke Rakes & Moore 10 Franklin Road Southeast P.O. Box 40013 Roanoke, VA 24022-0013
May	Davidson County, TN	Saint Thomas Outpatient Neurological Center, LLC; Howell Allen Clinic A Professional Corporation	13C606	William D. Leader George H. Nolan Leader, Bulso & Nolan, PLC 414 Union Street, Suite 1740 Nashville, TN 37219
McFarlane	Roanoke, VA	Image Guided Pain Management, P.C.; John Mathis, M.D; Robert O'Brien, M.D.; Insight Health Corporation, P.C.	CL12-2573	H. David Gibson Gentry Locke Rakes & Moore 10 Franklin Road Southeast P.O. Box 40013 Roanoke, VA 24022-0013
Parman	Davidson County, TN	Saint Thomas Outpatient Neurological Center, LLC; Howell Allen Clinic A Professional Corporation	13CL005	William D. Leader George H. Nolan Leader, Bulso & Nolan, PLC 414 Union Street, Suite 1740 Nashville, TN 37219
Reed	Davidson County, TN	Saint Thomas Outpatient Neurological Center, LLC; Howell Allen Clinic A Professional Corporation	13C417	William D. Leader George H. Nolan Leader, Bulso & Nolan, PLC 414 Union Street, Suite 1740 Nashville, TN 37219 William H. Lassiter, Jr. John Overton Belcher Lassiter Tidwell & Davis, PLLC One Nashville Place 150 4th Avenue North, Suite 1850 Nashville, TN 37219

Exhibit A4

Cases Naming Non-Debtor Defendants Only

Case Name	Venue	Defendants	Docket No.	Plaintiff(s)' Counsel
Leonard Shaffer and Karen Shaffer	USDC- District of Massachusetts Adversary No: 13-01023 Civil Docket: 1:13-cv-10226	Barry Cadden; Lisa Cadden; Gregory Conigliaro; Glenn Chin; ARL Bio Pharma, Inc. d/b/a Analytical Research Laboratories; Ameridose, LLC; Medical Sales Management, Inc.; GDC Properties Management, Inc.		Frederic L. Ellis Edward D. Rapaki Joseph M. Makalusky Ellis & Rapaki, LLP 85 Merrimac Street Suite 500 Boston, MA 02114 J. Douglas Peters Charfoos & Christensen, PC Hecker-Smiley Mansion 5510 Woodward Avenue Detroit, MI 40202
Smith, James Wirt	Roanoke, VA	Image Guided Pain Management, P.C.; John Mathis, M.D; Robert O'Brien, M.D.; Insight Health Corporation, P.C.	CL12-2572	H. David Gibson Gentry Locke Rakes & Moore 10 Franklin Road Southeast P.O. Box 40013 Roanoke, VA 24022-0013
Smith, Randolph	Roanoke, VA	Image Guided Pain Management, P.C.; John Mathis, M.D; Robert O'Brien, M.D.; Insight Health Corporation, P.C.	CL13-57	H. David Gibson Gentry Locke Rakes & Moore 10 Franklin Road Southeast P.O. Box 40013 Roanoke, VA 24022-0013
Wertz, Ferman W.	Roanoke, VA	Alaunus Pharmaceutical, LLC; Image Guided Pain Management; Insight Imaging Roanoke.	CL13-452	Daniel T. Frith III Frith & Ellerman Law Firm, P.C. 303 Washington Avenue, SW Roanoke, Virginia 24016
Whitlow	Roanoke, VA	Image Guided Pain Management, P.C.; John Mathis, M.D; Robert O'Brien, M.D.; Insight Health Corporation, P.C.	CL13-55	H. David Gibson Gentry Locke Rakes & Moore 10 Franklin Road Southeast P.O. Box 40013 Roanoke, VA 24022-0013
Wingate	Roanoke, VA	Image Guided Pain Management, P.C.; John Mathis, M.D; Robert O'Brien, M.D.; Insight Health Corporation, P.C.		H. David Gibson Gentry Locke Rakes & Moore 10 Franklin Road Southeast P.O. Box 40013 Roanoke, VA 24022-0013